



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/531,605

04/14/2005

William A Steer

GB 020177

8232

24737

7590

06/10/2009

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

RAINEY, ROBERT R

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

06/10/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action**

***Response to Arguments***

1. Applicant's arguments filed 6/1/09 have been fully considered but they are not persuasive.

Regarding the arguments concerning **claim 15**: since claims 8 and 15 are only similar, further consideration/search is required.

Regarding the arguments concerning **claim 10**: since claims 1 and 10 are only similar, further consideration/search is required, regardless of the persuasiveness of applicant's arguments regarding claim 1.

Regarding the arguments concerning **claim 1**, applicant takes issue with two statements from the previous office action in examiner's response to applicant's arguments made in the reply filed 5/20/09.

Applicant points out that no portion of Akimoto is cited to support the statement that "It is known to be used specifically to avoid running transistors in their linear regions." Note that the antecedent for "It" in the previous sentence is "Pulse-width-modulation". If this is a traversal of a type of official notice it is an inadequate traversal. Examiner's position is that using pulse-width-modulation is an explicit teaching of avoiding running transistors, or other switching elements such as tubes, in their linear

Art Unit: 2629

regions. This distinguishing feature of PWM goes back at least to class D (PWM) versus class A amplifiers.

Applicant points to examiner's statement that "applicant is urged to describe, as limitations in the claims, the particular elements or methods that cause the linear region to be avoided" and submits that such features already exist, pointing to the limitations

the height of the steps in the stepped voltage waveform is greater than the voltage width of a linear operating region of the drive transistor so that the linear operating region of the drive transistor is avoided.

Applicant makes some statements about these limitations but at no point addresses the rejection as written, which does address how these limitations are taught in the combination of the teachings of Akimoto. Simply stating that the art does not teach the limitations of the claims is inadequate to refute the prima facie case of obviousness presented by the examiner.

### ***Conclusion***

The rejections are maintained.

The amendments will not be entered.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT R. RAINEY whose telephone number is (571)270-3313. The examiner can normally be reached on Monday through Friday 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on (571) 272-7674. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/RR/

/Amare Mengistu/  
Supervisory Patent Examiner, Art Unit 2629